

REMARKS

The Applicant has filed the present Amendment pursuant to 37 C.F.R. § 1.111 in reply to the outstanding Official Action of May 5, 2003. The Applicant believes that the present Amendment is fully responsive to the Official Action for reasons set forth below.

In the Official Action, the Examiner has objected to the drawings because the relevant elements are not labeled and requested a proposed correction of the drawings. The Examiner has further rejected Claims 1-26 pursuant to 35 U.S.C. § 101, as allegedly directed to non-statutory subject matter. Still further, the Examiner rejected Claims 1-25 pursuant to 35 U.S.C. § 112, first paragraph, as allegedly failing to enable one skilled in the art to use the invention. Additionally, the Examiner has rejected Claim 10 and 11 pursuant to 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Lastly, the Examiner has rejected Claims 1-9 pursuant to 35 U.S.C. § 102(b), as allegedly anticipated by Gosling ("The Java™ Language Environment, A White Paper," May 1996, Sun Microsystems, Inc., pp. 1-85) (hereinafter "Gosling").

At the outset and before addressing the objections and the rejections raised in the present Official action, the Applicant has cancelled the original Claims 1-26 and has added new claims 27-47 that more clearly recite the invention. Claims 27 and 47 are the only independent claims and comprise elements originally recited in Claims 1, 4 and 5. Claim 27 is directed to a software unit that comprises two important features: 1) an output gate for transmitting a message to invoke a method at one or more of the plurality of software units; and 2) a variable accessed at runtime of the software unit that identifies the one or more of the plurality of software units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units. Claim 47 recites a software unit that comprises: 1) an output gate for transmitting a message to invoke a method determinable at runtime at one or more of the plurality of software units that is determinable at runtime; and 2) a variable accessed at runtime of the software unit that identifies the one or more of the plurality of software

units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units. Dependent Claim 28 (originally recited in Claim 5) further recites an important feature directed to input gate of the software unit. The other dependent Claims 29-46 generally track the cancelled dependent claims. Support for the amendments is found in the specification on page 9, line 30–page 10, line 2; page 12, lines 3-26; and page 29, line 35–page 30, line 17. The Applicant respectfully submits that no new subject matter has been entered as a result of the foregoing amendments.

Regarding the objection to drawings, the Applicant has taken care to label Figs. 1-17 appropriately. In addition, to expedite prosecution, the Applicant has submitted formal copies for Figs. 1-17. The Applicant has further amended the specification as recited herein to reflect the labeled elements. The Applicant respectfully submits that no new subject matter has been entered as a result of the amendments. Consequently, the Applicant respectfully requests the Examiner to withdraw the objection to the drawings.

Regarding the non-statutory subject matter rejection of Claims 1-26 pursuant to 35 U.S.C. § 101, the Applicant has cancelled the original Claims 1-26 and has in their place added new claims 27-47. The only independent Claims 27 and 47 define the inventive software unit to comprise structurally and functionally interrelated elements, i.e., an output gate and a variable. The dependent claims 28-46 add further limitations to this definition. Furthermore, the claimed invention as a whole produces a useful, concrete and tangible result of overcoming the limitations inherent in objects of the prior art. That is, objects of the prior art require absolute instance and method addresses (See present specification page 29, line 35–page 30, line 17). However, the inventive software unit is enabled to discover the instance and method address of one or more other software units at runtime. The Applicant respectfully submits that the new Claims 27-47 are statutory subject matter pursuant to 35 U.S.C. § 101. Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-26 pursuant to 35 U.S.C. § 101.

Regarding the rejection of Claims 1-26 pursuant to 35 U.S.C. § 112, first paragraph, the Applicant respectfully submits that the claimed software unit provides utility as argued above. More specifically, contrary to the prior art object that requires an absolute instance and method address of another object, the claimed software unit is enabled to discover the instance and method address of one or more other software units at runtime. Furthermore, because the recited invention provides utility as argued, the claimed invention further enables one skilled in the art to use the invention. Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-26 pursuant to 35 U.S.C. § 112, first paragraph.

Regarding the rejection of Claims 10-11 pursuant to 35 U.S.C. § 112, second paragraph, the Applicant respectfully submits that the instances of indefiniteness identified by the Examiner have been removed from Claims 33 and 34. It is noted that Claims 33 and 34 correspond to the original Claims 10 and 11, which are now cancelled. Consequently, the Applicant respectfully requests the Examiner to withdraw the rejection of Claims 10 and 11 pursuant to 35 U.S.C. § 112, second paragraph.

The Applicant respectfully disagrees with the Examiner's allegations regarding the rejection of the independent Claim 1 (now new independent Claims 27 and 47), and as a consequence, the Applicant proffers the following distinguishing arguments to traverse the rejection over Gosling pursuant to 35 U.S.C. § 102(b).

In traversing the rejection of the independent 1 (new Claims 27 and 47) pursuant to 35 U.S.C. § 102(b), the Applicant respectfully submits that the Gosling is defective because it fails to disclose a software unit comprising: an output gate for transmitting a message to invoke a method (determinable at runtime) at one or more of the plurality of software units that is (determinable at runtime); and a variable accessed at runtime of the software unit that identifies the one or more of the plurality of software units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units. Gosling discloses object-oriented programming using objects. However, Gosling does not disclose that its object

(Point object) comprises an output gate. As recited in Claims 27 and 47, an output gate transmits a message to invoke a method that is (determinable at runtime) at one or more of the plurality of software units (that is also determinable at runtime). The Examiner alleged that Gosling (at pages 30-31, § 3.3.4; Fig. 3.3.4.1) describes and depicts the output gate. The Applicant respectfully submits that Gosling's Point object does not have an output gate as particularly recited in Claims 27 and 47. Contrary to the Examiner's allegation, the Applicant respectfully submits that Gosling's class definition (Point), object instantiation (for class Point), and the setting of a variable in the instantiated object do not disclose a gate as recited in the independent Claim 27. The claimed gate transmits a message to invoke a method (determinable at runtime) at one or more of the plurality of software units (that is also determinable at runtime). Gosling's Point object does not provide a means to invoke a method determinable at run time at another object that is also determinable at runtime.

In further traversing the rejection, the Applicant respectfully submits that Gosling does not disclose that its object (Point object) comprises a variable accessed at runtime of the software unit that identifies the one or more of the plurality of software units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units. The Examiner alleged that Gosling (at pages 37, § 3.3.11) describes the variable as recited. Contrary to the Examiner's allegation, the Applicant respectfully submits that Gosling's abstract method has no relation to the claimed variable that is accessed at runtime to identify the one or more of the plurality of software units that is to receive the message and to identify the method that is to be executed at the determined one or more of the plurality of software units. More specifically, Gosling abstract method provides a framework to define classes that will share the same interface. However, the framework to share the same interface does not disclose a variable that identifies the one or more of the plurality of software units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units. Consequently, the Applicant respectfully submits that Gosling is defective because it fails to disclose a software unit comprising an output gate for transmitting a message to invoke a method determinable at

runtime at one or more of the plurality of software units that is determinable at runtime, and a variable accessed at runtime of the software unit that identifies the one or more of the plurality of software units that is to receive the message and identifies the method that is to be executed at the determined one or more of the plurality of software units.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of independent Claim 1 (new Claims 27 and 47) pursuant to 35 U.S.C. § 102(b) and allow these claims. The Applicant further respectfully requests the Examiner to allow Claims 28-46 based at least on their respective dependencies, whether direct or indirect, from the independent Claim 27.

In view of the foregoing, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the allowance of the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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